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Item 29 of the preliminary list*
Advancement of women

Status of the Convention on the Elimination of All Forms of Discrimination against Women

Report of the Secretary-General

Summary

The present report is submitted in compliance with General Assembly resolution 68/138 on the Convention on the Elimination of All Forms of Discrimination against Women, in which the Assembly requested the Secretary-General to submit to it at its seventieth session a report on the status of the Convention and the implementation of the resolution. It covers the period from 2 July 2013 to 1 July 2015.

* A/70/50.

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I. Status of the Convention on the Elimination of All Forms of Discrimination against Women

1. The Convention on the Elimination of All Forms of Discrimination against Women was adopted by the General Assembly in its resolution 34/180. It was opened for signature, subject to ratification and for accession at United Nations Headquarters on 1 March 1980 and, in accordance with article 27 of the Convention, entered into force on 3 September 1981.

2. As at 1 July 2015, 189 States had ratified, acceded to or succeeded to the Convention. This represents an increase of two States parties since the submission of the previous report (A/68/121). These two States parties were: State of Palestine, on 2 April 2014; and South Sudan, on 30 April 2015. The list of States parties to the Convention and the dates of deposit of their instruments of ratification, accession or succession to the Convention are available from the website of the Treaty Section of the Office of Legal Affairs (http://treaties.un.org), along with all declarations, reservations, objections and other relevant information.

3. As at 1 July 2015, 69 States parties had deposited with the Secretary-General instruments of acceptance of the amendment to article 20, paragraph 1, of the Convention, which relates to the meeting time of the Committee. The State party having accepted the amendment since the submission of the previous report is Serbia. The list of States that have accepted the amendment to article 20 of the Convention and the dates of deposit of their instruments of acceptance are available on the website of the Treaty Section.

4. During the reporting period, no objections to reservations were received; and Austria withdrew its reservation to article 11 (C.N.336.2015); France withdrew its reservations to articles 14 (2) (c) and (h) and 16 (1) (g) (C.N.835.2013); Iraq withdrew its reservation to article 9 (C.N.82.2014); Mauritania withdrew its general reservation but maintained it with regard to articles 13 (a) and 16 (C.N.505.2014); Switzerland withdrew its reservation to article 16 (1) (g) (C.N.902.2013); and Tunisia withdrew its declaration with regard to article 15 (4) as well as its reservations to articles 9 (2), 16 (c), (d), (f), (g) and (h) and 29 (1) (C.N.220.2014). The above depositary notifications are available from the website of the Office of Legal Affairs for reference.

II. Status of the Optional Protocol to the Convention

5. By its resolution 54/4, the General Assembly adopted the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. The Optional Protocol was opened for signature, subject to ratification and accession at United Nations Headquarters on 10 December 1999 and, in accordance with article 16, paragraph 1, entered into force on 22 December 2000.

6. As at 1 July 2015, 106 States parties had ratified, acceded to or succeeded to the Optional Protocol. This represents an increase in two States parties since the submission of the previous report. These two States parties were: Tajikistan, on 22 July 2014; and South Sudan, on 30 April 2015. The list of States parties to the Optional Protocol, the dates of deposit of their instruments of ratification, accession

or succession, and all declarations, reservations and other relevant information are also available from the website of the Treaty Section.

III. Committee on the Elimination of Discrimination against Women

A. Substantive and technical servicing

7. The Office of the United Nations High Commissioner for Human Rights (OHCHR) has responsibility for supporting the work of the Committee on the Elimination of Discrimination against Women. The Committee is serviced by the secretariat of the Committee, which comprises the Secretary (P-4), four Human Rights Officers (P-3), one Junior Professional Officer (JPO) and one Assistant (General Service).

8. The United Nations High Commissioner for Human Rights has ensured that the strong links between the Committee and the intergovernmental machinery responsible for the promotion of gender equality continue to be maintained. The previous and current Chairs of the Committee participated in the fifty-eighth and fifty-ninth sessions of the Commission on the Status of Women, respectively, in 2014 and 2015. The then Chair also addressed the Third Committee of the General Assembly at its sixty-eighth and sixty-ninth sessions. The Committee's interaction with the United Nations human rights machinery is extremely important for its overall activities, and the Committee benefits greatly from the cooperation of the relevant stakeholders to effectively discharge its mandate.

9. The Committee regularly discusses issues of common concern with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women). The Chair of the Committee met with the Under-Secretary-General/Executive Director of UN-Women on 11 March 2014 to express support for a stand-alone goal on gender equality in the post-2015 development agenda and raise the need to focus on the implementation of the Convention, including the Committee's general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations. The Committee is currently collaborating with UN-Women on several of its draft general recommendations, and UN-Women regularly invites experts from the Committee to participate in expert group meetings and side events convened in conjunction with intergovernmental processes.

10. The Committee has continued to interact with the United Nations High Commissioner for Human Rights, the Deputy High Commissioner and other senior staff, and has welcomed opportunities for discussion with relevant divisions, branches and sections on issues relevant to the work of the Committee.

11. The Committee meets regularly with special procedures mandate holders, including, during the reporting period, the Special Rapporteur on violence against women, its causes and consequences and the Special Rapporteur on the human rights of migrants.

12. On 6 November 2014, the Committee held an informal meeting with the States parties to the Convention, which was attended by 65 States parties. The Committee briefed the States parties on the implementation of the Convention and the Optional Protocol in the context of the outcome of the treaty body strengthening process.

Several States parties welcomed the adoption by the Committee of a simplified reporting procedure. Several States parties expressed the wish to avail themselves of the procedure for the submission of their periodic reports. Among the other issues discussed were the integration of women's rights into the post-2015 development agenda and the Committee's work on violence against women.

13. The Committee continued to contribute actively to the work of the human rights treaty bodies, especially within the framework of the annual meetings of Chairs of treaty bodies. The Chair participated in the twenty-sixth and twenty-seventh meetings of the Chairs of the human rights treaty bodies, which were convened from 23 to 27 June 2014 and from 22 to 26 June 2015 in Geneva and San José, respectively. During the twenty-sixth meeting, the Chair of the Committee participated in a discussion on the implementation of General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system, as well as on follow-up to the recommendations of the twenty-fifth meeting of the Chairs, including the application by treaty bodies of the simplified reporting procedure, the alignment of the methodology for the constructive dialogue with States parties and a common format for short, focused and concrete concluding observations. The Chair also participated in informal consultations with States parties regarding General Assembly resolution 68/268, civil society organizations and the International Coordinating Committee of National Human Rights Institutions, and in meetings with representatives of the Special Procedures Branch and the Universal Periodic Review Section of OHCHR to discuss complementarities with the work of those mechanisms. During the twenty-seventh meeting of the Chairs, the Chair of the Committee participated in the adoption of a joint treaty body policy against reprisals and in consultations with States parties, the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights, United Nations entities and specialized agencies, national human rights institutions and civil society organizations from the region.

14. Committee members participated in panel discussions held during sessions of the Human Rights Council, and one member participated in a day of general discussion of the Committee on the Rights of Persons with Disabilities. Committee members also participated in various panel discussions organized by other stakeholders.

15. During the reporting period, the Committee held two general discussions, one on rural women, on 7 October 2013, and the other on girls' and women's right to education, on 7 July 2014. Both general discussions were organized as the first phase in the elaboration of general recommendations. The general discussion on rural women, co-organized by OHCHR, the Food and Agriculture Organization of the United Nations, the World Food Programme (WFP), the International Fund for Agricultural Development and UN-Women, was attended by a large number of States parties, United Nations entities and specialized agencies and non-governmental organizations. It included as speakers the Assistant Executive Director for Partnerships and Governance, WFP; a member of the Working Group on the issue of discrimination against women in law and in practice; the Special Rapporteur on the right to food; the Special Rapporteur on the human right to safe drinking water and sanitation; the Co-Executive Director of the Global Initiative for Economic, Social and Cultural Rights; and a representative of Kenyan grass-roots organizations. The general discussion on girls' and women's right to education,

organized by OHCHR with support from the United Nations Children's Fund (UNICEF) and the United Nations Educational, Scientific and Cultural Organization (UNESCO), was also attended by a large number of States parties and non-governmental organizations. It included as speakers the United Nations High Commissioner for Human Rights; the Regional Director for Central and Eastern Europe and the Commonwealth of the Independent States, UNICEF; the UNICEF Goodwill Ambassador to Ethiopia; the Director of the UNESCO Liaison Office in Geneva; the Chief of the Section for Basic Education, UNESCO; the Special Rapporteur on the right to education; the education adviser for Plan International and previous Special Rapporteur on the right to education; the Executive Director of the Protection Project, Johns Hopkins University School of Advanced International Studies; a member of the Network of Advisers of the Right to Education Project; and a former teacher of the Nobel Peace Prize laureate, Malala Yousafzai.

16. With a view to further enhancing and harmonizing its working methods with other treaty bodies, and in line with General Assembly resolution 68/268 on treaty body strengthening, the Committee decided to offer, on a pilot basis, the simplified reporting procedure to those States parties that wish to avail themselves of this procedure for the submission of their overdue periodic reports as from 1 January 2015, provided that the States parties concerned have submitted an updated common core document, in accordance with the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/MC/2006/3 and Corr.1), which dates back no more than five years.[1] The Committee also adopted a guidance note for States parties on the constructive dialogue with the human rights treaty bodies and a common framework for concluding observations, as recommended by the Chairs of the human rights treaty bodies at their twenty-sixth meeting, held in Geneva from 23 to 27 June 2014 (see A/69/285, annexes I and II). It decided to review its rules of procedure, with a view to implementing General Assembly resolution 68/268 and integrating new provisions operationalizing the guidelines on independence and impartiality of human rights treaty body members endorsed at the twenty-fourth meeting of the Chairs of the human rights treaty bodies, held in Addis Ababa in June 2012 ("the Addis Ababa guidelines"; see A/67/222, annex I).

B. Evaluation by the Committee

17. As at 1 July 2015, there are 17 States parties with long-overdue reports (more than 5 years overdue). Three of the States parties that have not yet submitted their long-overdue reports, Antigua and Barbuda, Barbados and Saint Kitts and Nevis, have been listed to be considered by the Committee in the absence of their reports. The Committee also continues to send reminders to States parties with overdue reports. In the light of the additional meeting time allocated to the Committee under General Assembly resolution 68/268, it now schedules the reports of 28 States parties for review per year and has scheduled 35 States parties to be considered at

[1] The Committee decided that the following States parties having requested to submit their periodic reports under the simplified reporting procedure and meeting the eligibility criteria stipulated in decisions 58/II and 59/IV would be considered under that procedure: Belarus (eighth periodic report), Ireland (combined sixth to eighth periodic reports), Israel (sixth periodic report), Luxembourg (combined sixth and seventh periodic reports) and Romania (combined seventh to ninth periodic reports) (see A/70/38, part three, chap. I, decision 60/IX).

its sixty-first session (July 2015), sixty-second session (October/November 2015), sixty-third session (February/March 2016) and sixty-fourth session (July 2016). Fifteen reports have not yet been formally scheduled. The Committee is aware that it has a slight backlog and considers that the consideration of combined reports assists greatly in keeping the backlog in check. Most reports submitted consist of combined reports.

18. The Committee is gratified that it continues to attract a wide following within the United Nations system and civil society, including national human rights institutions and non-governmental organizations, and that it has been able to interact with the wider human rights framework, including the Human Rights Council, the special procedures mandate holders and other treaty bodies. Its transfer to OHCHR and the holding of its sessions in Geneva have enabled the Committee to interact regularly with the High Commissioner for Human Rights and to develop close relationships with Geneva-based United Nations entities and other bodies, such as the Inter-Parliamentary Union.

19. The Committee considers that it has continued to make strong efforts to harmonize its practices with those of other treaty bodies. It also considers that its follow-up procedure, which is similar to that of other treaty bodies, has strengthened implementation at the national level.

Fulfilment by States parties of reporting obligations

20. Article 18, paragraph 1, of the Convention provides that States parties undertake to submit reports on the implementation of the Convention within one year after its entry into force for the State concerned and thereafter at least every four years and further whenever the Committee so requests.

21. Between 2 July 2013 and 1 July 2015, the Secretary-General received the reports (many of which are combined reports) from the following States parties: Albania, Argentina, Armenia, Bangladesh, Bhutan, Bolivia (Plurinational State of), Burundi, Canada, Croatia, Czech Republic, El Salvador, Eritrea, Estonia, France, Haiti, Honduras, Iceland, Japan, Jordan, Lebanon, Liberia, Madagascar, Malawi, Mali, Mongolia, Myanmar, Namibia, Netherlands, Philippines, Portugal, Russian Federation, Saint Vincent and the Grenadines, Senegal, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Timor-Leste, Trinidad and Tobago, Turkey, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu and Yemen.

22. During the reporting period, the Committee held the following six sessions: fifty-fifth session, from 8 to 26 July 2013; fifty-sixth session, from 30 September to 18 October 2013; fifty-seventh session, from 10 to 28 February 2014; fifty-eighth session, from 30 June to 18 July 2014; fifty-ninth session, from 20 October to 7 November 2014; and sixtieth session, from 16 February to 6 March 2015. During those sessions, the Committee considered the reports of 46 States parties. The sixty-first session will be held from 6 to 24 July 2015, at which an additional eight reports will be considered by the Committee.

Reports awaiting consideration, overdue reports and requests for follow-up reports

23. A total of 50 reports submitted by States parties have yet to be considered by the Committee, 35 of which have been scheduled to be considered at upcoming sessions of the Committee through the end of July 2016. Fifteen reports received have not yet been formally scheduled.

24. In the light of the reduced backlog of reports awaiting consideration, the Committee initiated a systematic effort to encourage States parties to submit long-overdue reports. On the basis of its decisions 29/I and 31/III (i), it established that it would proceed with consideration of the implementation of the Convention in the absence of a report only as a last resort and in the presence of a delegation. The Committee continued its practice of inviting States parties with long-overdue reports to submit all their overdue reports as a combined report.

25. Currently, the following States parties have not yet submitted their initial reports: Dominica, Kiribati, Marshall Islands, Micronesia (Federated States of), Monaco, Nauru, San Marino, Sao Tome and Principe and State of Palestine.

26. Reports that were due in June 2010 or before include: Antigua and Barbuda, Barbados, Democratic People's Republic of Korea, Dominica, Ireland, Kiribati, Latvia, Malaysia, Marshall Islands, Micronesia (Federated States of), Monaco, Mozambique, Saint Kitts and Nevis, Saint Lucia, San Marino, Sao Tome and Principe and Suriname.

27. Reports that were due between July 2010 and June 2015 include those for: Australia, Belarus, Belize, Botswana, Burkina Faso, Cook Islands, Egypt, Fiji, Germany, Guinea-Bissau, Israel, Kenya, Lao People's Democratic Republic, Libya, Liechtenstein, Luxembourg, Malta, Morocco, Nauru, Nicaragua, Niger, Nigeria, Panama, Papua New Guinea, Romania, Rwanda, Saudi Arabia, South Africa, State of Palestine, Tunisia, Uganda and Ukraine.

C. Working methods of the Committee

28. Taking into account the word limits for treaty body documentation established in General Assembly resolution 68/268, the Committee's report to the Assembly no longer includes the concluding observations on the reports of States parties, the decisions on communications or general recommendations of the Committee; those are published as separate documents and are posted on the OHCHR website.

29. The Committee has continued to convene its pre-session working group two sessions in advance of the consideration of a report to ensure that States parties have enough time to respond to their respective lists of issues and questions.

30. The Committee, in the last paragraph of its concluding observations, establishes the due date for the State party's next periodic report. In cases where the next periodic report is overdue or becomes due within one or two years of the date of consideration, the Committee requests the State party to submit its next report as a combined periodic report. Most reports considered by the Committee are now combined reports.

31. During the reporting period, the Committee focused on ensuring that the concluding observations on the reports of States parties were more targeted,

country-specific and precise, so that they could be implemented more effectively at the national level. It should be recalled that at its forty-first session, the Committee decided to adopt the practice of inserting titles (subject headings) in its concluding observations, and agreed on a list of titles which would be applied flexibly and as appropriate for the State party concerned (A/63/38, part two, annex X). At its fifty-fourth and fifty-sixth sessions, the Committee decided to shorten and merge several standard paragraphs contained in its concluding observations.

32. At its forty-first session, the Committee decided to introduce a follow-up procedure whereby it would include a request to individual States parties in the concluding observations for information on steps taken to implement specific recommendations. At its forty-fourth session, the Committee decided to appoint a rapporteur on follow-up to concluding observations and an alternate. It is noted that a maximum of two recommendations are identified for follow-up. The criteria for the selection of follow-up recommendations are that the concerns addressed in those recommendations constitute a major obstacle to women's enjoyment of their rights and thus to the implementation of the Convention as a whole and that their implementation would be feasible within the suggested time frame. The follow-up report is also made public and is available on the website of OHCHR. The follow-up rapporteur collaborates with the country rapporteur on the assessment of the follow-up report. The rapporteur reports to the Committee at each session, and that report is included in the Committee's report to the General Assembly. At its forty-seventh session, the Committee decided to include follow-up to concluding observations as a standing item on the agenda. At its fiftieth session, the Committee appointed a new rapporteur on follow-up as well as an alternate, each for a two-year term. At its fifty-fourth session, the Committee updated its methodology on the follow-up procedure to concluding observations and adopted an information note on the follow-up procedure for different stakeholders (see A/68/38, part three, annex III and appendix). At its fifty-sixth session, the Committee extended the term of the rapporteur on follow-up and appointed a new alternate, both for the period of one year. It also assessed its follow-up procedure and concluded that the procedure had proved to be an effective tool of implementation of the Convention, enabling the Committee to monitor progress achieved between reporting cycles. It decided that the follow-up procedure should continue and that another assessment should be made in October 2016 (see A/69/38, part two, annex VI). At its sixty-ninth session, the Committee appointed a new rapporteur on follow-up as well as an alternate, each for a two-year term.

33. The Committee continued its interaction with the specialized agencies and other bodies of the United Nations system that contribute to its work and support the full implementation of the Convention at the national level. It continued to benefit from joint information submitted on States parties under consideration by United Nations country teams, and encouraged the entities of the United Nations system to undertake follow-up activities on the basis of the Committee's concluding observations at the country level.

34. The Committee continued its practice of meeting informally with non-governmental organizations and national human rights institutions wishing to present country-specific information on States parties whose reports were before it, at the beginning of the first and second weeks of the session. The Committee's pre-session working group also provided opportunities for non-governmental organizations and national human rights institutions to present written and oral

information. General and session-specific information notes for non-governmental organizations and national human rights institutions are regularly posted on the OHCHR website.

35. The Committee continued to emphasize the important role of parliamentarians in the implementation of the Convention and the follow-up to concluding observations and includes a standard paragraph on the role of parliaments in each observation. The Inter-Parliamentary Union regularly submits information on the representation of women in the parliaments of the States parties under consideration and organizes regular capacity-building sessions for parliamentarians on the Convention and the Optional Protocol.

36. The Committee continued its practice of adopting statements on particular events or developments. Those include statements on the role of women in the process of political transition in Egypt, Libya and Tunisia and on strengthened cooperation with UN-Women, adopted at its fifty-fifth session (A/69/38, part one, annexes I and II, respectively); statements on the post-2015 development agenda and the elimination of discrimination against women and on sexual and reproductive health and rights: beyond the 2014 review of the International Conference on Population and Development, adopted at its fifty-seventh session (A/69/38, part three, annexes I and II, respectively); a statement on the situation of women in Gaza and an open letter to the co-chairs of the Open Working Group on Sustainable Development Goals, adopted at its fifty-eighth session (available from the OHCHR website); and an open letter to Radhika Coomaraswamy, the lead author for the global study on the implementation of Security Council resolution 1325 (2000) on women, peace and security, adopted at its sixtieth session (available from the OHCHR website).

37. The Committee adopted at its fifty-sixth session a general recommendation on women in conflict prevention, conflict and post-conflict situations (CEDAW/C/GC/30). At its fifty-ninth session, it adopted a joint general recommendation/general comment of the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child on harmful practices (CEDAW/C/GC/31-CRC/C/GC/18) and a general recommendation on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women (CEDAW/C/GC/32). The general recommendation on access to justice is in the process of being finalized. With respect to the general recommendation on rural women, a first draft has been prepared and shared with external stakeholders for comments. In relation to the general recommendation on girls' and women's right to education, a first draft is currently being prepared. The Committee also decided to hold a half-day general discussion on the gender-related dimensions of disaster risk reduction and climate change, during its sixty-third session, with a view to elaborating a general recommendation on the topic (see A/70/38, part three, decision 60/X).

D. Working methods with regard to the Optional Protocol

38. During the reporting period, the Committee continued to carry out its activities under the Optional Protocol to the Convention. The Committee normally allocates two meetings per session to matters relating to the Optional Protocol for consideration in plenary meeting.

39. The Committee's Working Group on Communications under the Optional Protocol held six sessions during the reporting period. The Working Group on Communications convenes three times a year for a total of 10 working days. To date, the Working Group has registered 87 communications, 33 of which were registered during the reporting period. Of the 87 communications, 39 remain open.

40. During the reporting period, the Committee adopted final decisions with regard to 15 communications. At its fifty-fifth session, held in July 2013, the Committee discontinued its consideration of one communication concerning Denmark and declared communications Nos. 33/2011, 35/2011 and 40/2012 inadmissible. At its fifty-sixth session, held in September/October 2013, the Committee discontinued its consideration of one communication concerning the Netherlands and declared communications Nos. 29/2011 and 44/2012 inadmissible. At its fifty-seventh session, held in February 2014, the Committee adopted views finding violations in relation to communications Nos. 34/2011 and 36/2012, and declared communication No. 39/2012 inadmissible. It also discontinued its consideration of one communication concerning Ecuador. At its fifty-eighth session, held in June/July 2014, the Committee adopted views on communication No. 47/2012, finding a violation, and declared communication No. 30/2011 inadmissible. At its fifty-ninth session, held in October/November 2014, the Committee declared communications Nos. 37/2012, 49/2013 and 59/2013 inadmissible. At its sixtieth session, held in February/March 2015, the Committee adopted views finding a violation in relation to communication No. 48/2013, and declared communication No. 51/2013 inadmissible.

41. During the reporting period, the Committee and its Working Group on Communications continued to examine information, under its procedure on follow-up to views, in relation to 12 views concerning nine States parties: Belarus, Brazil, Bulgaria, Canada, Netherlands, Peru, Philippines, Spain and Turkey. During the same period, the Chair of the Working Group on Communications and other Committee members discussed follow-up matters with representatives of the Permanent Missions of Bulgaria, Brazil, Belarus, the Philippines and Turkey to the United Nations Office at Geneva, including measures taken by those States parties to give effect to the Committee's views on communications Nos. 20/2008, 31/2011 and 32/2011 (concerning Bulgaria), No. 17/2008 (concerning Brazil), No. 23/2009 (concerning Belarus), Nos. 18/2008 and 34/2011 (concerning the Philippines), and No. 28/2010 (concerning Turkey), respectively. At its fifty-eighth session, the Committee decided to suspend the follow-up dialogue finding a non-satisfactory implementation of the Committee's recommendations with regard to its views on communications No. 18/2008 concerning the Philippines and No. 23/2009 concerning Belarus.

42. During the reporting period, four submissions under article 8 of the Optional Protocol requesting inquiries were received by the Committee and registered by the secretariat pursuant to the rules of procedure of the Committee. There are currently two inquiries pending with the Committee. At its fifty-fifth and fifty-eighth sessions, the Committee adopted its findings and recommendations in relation to inquiries No. 2010/1 concerning the Philippines and No. 2011/1 concerning Canada, respectively, and in each case decided to transmit them to the State party concerned. At its fifty-ninth session, the Committee decided to make public and publish on the OHCHR website the full report of an inquiry setting out the Committee's findings, comments and recommendations upon completion of all proceedings related to the

conduct of the inquiry as well as the expiry of the time limit pursuant to article 8, paragraph 4, of the Optional Protocol (see A/70/38, part two, annex I). At its sixtieth session, the Committee decided to include a summary of inquiry No. 2010/1, including the Committee's findings and recommendations, in its annual report to the General Assembly, and concluded the proceedings in relation to inquiry 2011/1 (ibid., part three, paras. 26 and 27).[2]

IV. Efforts to encourage universal ratification of the Convention and its Optional Protocol, and acceptance of the amendment to article 20, paragraph 1, of the Convention

43. The United Nations High Commissioner for Human Rights and the Under-Secretary-General/Executive Director of UN-Women continue to encourage universal ratification of the Convention and the Optional Protocol and promote acceptance of the amendment to article 20, paragraph 1, of the Convention, which stipulates the meeting time allocated to the Committee. They have encouraged related action in their meetings with delegations, in statements and presentations at United Nations Headquarters, at other duty stations, and at conferences and other forums.

V. Technical assistance provided to States parties

44. Technical assistance and capacity-building activities of OHCHR routinely focus on the Convention, including with respect to the preparation of reports and follow-up to concluding observations, as well as the mechanisms established under the Optional Protocol. During the reporting period, UN-Women continued to organize training seminars on the Convention in a number of countries, which benefited from the contributions of experts of the Committee and involved not only Government officials but also other stakeholders such as non-governmental organizations. Capacity-building is considered to be vital to assist States parties in the implementation of their treaty obligations. OHCHR will increase its activities in that regard, given that additional resources from the United Nations regular budget have been allocated to capacity-building for treaty reporting under General Assembly resolution 68/268.

VI. Dissemination of the Convention, its Optional Protocol and information on the work of the Committee

45. OHCHR has redesigned and improved the page on the Convention and its Optional Protocol and the work of the Committee on its website (www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx). The text of the Convention and its Optional Protocol, reports of States parties, lists of issues and questions, responses from States parties, States parties' introductory statements and the composition of delegations presenting reports, the Committee's concluding

[2] The summary of inquiry No. 2010/1 and the report of inquiry No. 2011/1 as well as the State party's observations thereon are issued as documents CEDAW/C/OP.8/PHL/1, CEDAW/C/OP.8/CAN/1 and CEDAW/C/OP.8/CAN/2, respectively.

observations and documents and any other information concerning the Convention, its Optional Protocol, the working methods of the Committee and the meetings of States parties are posted on the website. The Universal Human Rights Index, the electronic research tool maintained by OHCHR that indexes concluding observations of human rights treaty bodies and recommendations of special procedures mandate holders, includes all lists of issues and concluding observations of the Committee.

VII. Conclusions and recommendations

46. The Committee has made significant efforts to reduce the delay between the submission of reports and their consideration, using efficient working methods, including time management. Its efforts to encourage States parties to comply with their reporting obligations, especially where reports are long overdue, have been successful. It has enhanced its interaction with stakeholders in the implementation of the Convention and has actively contributed to the common efforts of all treaty bodies to harmonize and strengthen the human rights treaty body system, in line with General Assembly resolution 68/268, while adopting innovations appropriate to its work. The Committee has continued to develop its jurisprudence through its work under the Optional Protocol, including under the inquiry procedure, and its follow-up procedure in relation to views on individual communications finding violations has yielded positive, albeit modest, results. It has adopted three general recommendations, and three draft general recommendations are currently being prepared; one of them is nearing completion. The Committee organized two days of general discussion during the reporting period and has decided to elaborate additional general recommendations. A day of general discussion is being organized for one such general recommendation during the sixty-third session. The Committee has made its concluding observations more focused, country-specific and user-friendly. Follow-up to concluding observations has been mostly successful, although additional resources are required on the part of the Committee and the States concerned. Despite the Committee's achievements, further efforts are needed to encourage the implementation of the Convention at the national level.

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Item 87 of the preliminary list*
The scope and application of the principle of universal jurisdiction

The scope and application of the principle of universal jurisdiction

Report of the Secretary-General

Summary

The present report has been prepared pursuant to General Assembly resolution 69/124, by which the Assembly requested the Secretary-General to prepare a report on the basis of information and observations received from Member States and relevant observers, as appropriate, on the scope and application of universal jurisdiction, including, where appropriate, information on the relevant applicable international treaties, and their national legal rules and judicial practice.

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I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution 69/124. It reflects comments and observations received since the issuance of the report of 2014 (A/69/174) and should be read together with that and prior reports (A/65/181 (2010), A/66/93 and Add.1 (2011), A/67/116 (2012) and A/68/113 (2013)).

2. In accordance with resolution 69/124, section II of the present report, together with tables 1 to 3, focuses on specific information regarding the scope and application of universal jurisdiction on the basis of relevant national legal rules, applicable international treaties and judicial practice. Information received from observers is provided in section III, and section IV contains a synopsis of issues raised by Governments for possible discussion.

3. Responses were received from Austria, Azerbaijan, Belarus, Croatia, Cuba, the Czech Republic, Greece, Jordan, Kuwait, Oman and Peru.

4. Responses were also received from the European Union, the International Civil Aviation Organization,[1] the International Maritime Organization, the Organization for the Prohibition of Chemical Weapons and the International Committee of the Red Cross.

5. The complete submissions are available from the website of the Sixth Committee of the General Assembly.

II. Scope and application of universal jurisdiction on the basis of the relevant domestic legal rules, applicable international treaties and judicial practice: comments by Governments

A. Basic legal rules

1. Constitutional and other domestic legal framework[2]

Austria[3]

6. Austria reiterated comments made previously that under section 64 of its Penal Code, Austrian courts have jurisdiction over certain crimes (for example, extortive abduction, slave trade, trafficking in human beings, organized crime, drug-related crimes, air piracy, terrorism-related acts) committed outside Austria, regardless of locally applicable law, if certain Austrian interests are affected. Under this provision, Austrian courts are also competent for other crimes committed outside Austria, regardless of locally applicable law if Austria is under an obligation to prosecute under international treaties.

7. In the past few years, the number of crimes listed in section 64 has been increased to include additional crimes, such as rape, sexual coercion and torture.

[1] The International Civil Aviation Organization submitted a nil return.

[2] Table 1 contains a list of crimes contained in various codes, as mentioned in the comments by Governments.

[3] For previous comments submitted by Austria, see A/65/181 and A/69/174.

8. On 1 January 2015, an amendment to the Penal Code entered into force. It introduces a new chapter 25 and incorporates specific international crimes under the Rome Statute of the International Criminal Court into Austrian law,[4] in particular crimes against humanity (article 7) and war crimes (article 8) under the Rome Statute, in order to provide full complementary jurisdiction of Austrian courts for these crimes. In this context, a new section of the Penal Code, section 64 (1) (4c), provides that Austrian Courts can exercise jurisdiction over the crimes covered under the new chapter 25 (specifically genocide, crimes against humanity and war crimes) in all cases where:

(a) The perpetrator or victim is an Austrian citizen;

(b) Other Austrian national interests are infringed by the act;

(c) The perpetrator is a foreigner who has his habitual residence in Austria or is present in Austria and cannot be extradited.

9. Austria also reiterated that according to section 65 of its Penal Code, its courts have jurisdiction over crimes committed outside Austria if they are punishable under locally applicable law and if the perpetrator is caught on Austrian territory and cannot be extradited for a reason other than the nature or character of his act.

Azerbaijan[5]

10. The Criminal Code of Azerbaijan, as adopted on 30 December 1999, provides for the principle of universal jurisdiction. Its article 2 ensures that the peace and security of humanity is one of the main objectives of the country's criminal legislation.

11. Under article 12.3 of the Code, citizens of Azerbaijan, foreign citizens or stateless persons who commit crimes against peace and humanity, war crimes, human trafficking, terrorism, financing of terrorism, hijacking, hostage-taking, torture, piracy, illegal trafficking of narcotic drugs and psychotropic substances, forgery, attack on persons or establishments using international protection and crimes concerning radioactive materials, as well as crimes deriving from international treaties to which Azerbaijan is a party, shall be held liable and punished under the Code for those crimes regardless of their place of commission.

12. Additionally, article 13.3 provides that if a person who has committed a crime outside Azerbaijan is not handed over to a foreign State and if the offence is deemed a crime under the Code, that person is subject to criminal prosecution in Azerbaijan

Croatia

13. The Constitution of Croatia does not contain any provision relating to the exercise of universal jurisdiction and its exercise is based on domestic legislation, namely the Croatian Criminal Code. The basic principle on which the application of Croatian criminal law is based is the principle of territoriality. In this regard, article 10 of the Criminal Code (Official Gazette of the Republic of Croatia 125/11, 144/12) provides that criminal law is applicable to anyone who commits a criminal offence on the territory of the Republic of Croatia.

[4] For the list of previously reported crimes, see A/69/174, table 1.

[5] For previous comments submitted by Azerbaijan, see A/65/181 and A/66/93.

14. In order to ensure the application of Croatian legislation with regard to criminal offences committed outside the territory of Croatia, the Croatian Criminal Code recognizes several bases of jurisdiction recognized in international law, such as the active and passive personality principle and the protective principle, including the principle of universal jurisdiction.

15. The principle of universal jurisdiction under the Croatian Criminal Code is based on the assumption that:

(a) It gives each State criminal jurisdiction solely on the nature of the criminal offence, even when the crime was not committed on its territory and its citizens are neither perpetrators nor victims;

(b) It is an expression of international solidarity according to which some States pledge to punish perpetrators of crimes in which they have no direct interest;

(c) In its regulation, a number of preconditions should be taken into account that ensure its implementation in good faith and in accordance with international law rights and obligations.

16. In the Croatian Criminal Code, the principle of universal jurisdiction takes two forms. Under the global form (article 16), the Criminal Code applies to anyone who, outside of the territory of the Republic of Croatia, commits the crime of genocide, crimes against humanity, war crimes, terrorism, torture and other cruel, inhuman or degrading treatment or punishment, slavery and trafficking in human beings, as well as any offence which the Republic of Croatia is obliged to punish under an international treaty.

17. In the second form, a special extraterritorial competence (article 17) regulates the application of the Croatian Criminal Code to aliens who, outside the territory of the Republic of Croatia, commit a crime against a foreign country or a foreign national which is punishable by a prison sentence of five years or more under the laws of the Republic of Croatia and which is not covered by other principles, under the condition that the offence is at the same time punishable under the law of the State in which it was committed (double criminality) and if the extradition of the defendant is permissible by law or treaty but has not taken place. It also provides for the punishment of the offenders who have fled to Croatia and did not commit a crime which Croatia is required to punish under international law, but some other, "ordinary" crime (for example, murder, robbery, traffic violations, etc.).

Cuba[6]

18. The general part of the Cuban Penal Code sets out various articles that underscore the importance of prosecuting or imposing the heaviest sentence for all acts against humanity and human dignity. The conceptual definition of the term "against humanity" and the existence of an individual legal right that is to be protected may be inferred from the criminalization of such acts; the offences are defined in the special part of the Penal Code. While the general part of the Penal Code refers to various offences included in the list of crimes against humanity, there is no explicit reference to "crimes against humanity".

[6] For previous comments submitted by Cuba, see A/65/181, A/66/93/Add.1, A/67/116, A/68/113 and A/69/174.

19. Article 5, paragraph 3, of the Penal Code articulates the will to prosecute and try, at the request of the Ministry of Justice, persons who commit offences against humanity and human dignity, regardless of where the act took place or by whom it was committed. Such considerations have no effect on the application of Cuban criminal law, since, given the nature of such crimes, the principle of global justice overrides the principle of territoriality and the principle of personality or citizenship. The article states: "Cuban criminal law is applicable to non-resident aliens and stateless persons who do not reside in Cuba who commit an offence abroad, if they are in Cuba and are not extradited, whether they reside in the territory of the State in which they perpetrate the offence or in any other State, provided that the offence is also punishable where it was committed. The last-mentioned requirement does not apply if the act is an offence against the fundamental, political or economic interests of the Republic, or against humanity, human dignity or public health, or is indictable under the terms of international treaties."

20. Similarly, article 18, paragraph 4, of the Penal Code sets out a broad understanding of responsibility, stating that all those involved in offences that violate humanity or human dignity shall be considered perpetrators, and consequently receive a heavier sentence, whatever the nature of their involvement. It provides: "In the case of offences against humanity, human dignity or public health, and offences specified in international treaties, all criminally responsible persons shall be considered perpetrators, whatever the nature of their involvement."

Czech Republic[7]

21. The Czech Republic reiterated that its domestic penal law (Law No. 40/2009, Collection of Laws, Criminal Code) recognizes the principle of protection and universality and its jurisdiction in that regard under international treaty obligations.

22. Section 8 of the Czech Criminal Code has been amended and now reads as follows:

> Section 8
> Subsidiary Principle of Universality
>
> (1) The Czech law shall be applied to determine the liability to punishment for an act committed abroad by a foreign national or a stateless person with no permanent residence permit on the territory of the Czech Republic, if:
>
> (a) The act is also punishable under the law in force on the territory where it was committed;
>
> (b) The offender is apprehended on the territory of the Czech Republic, the extradition or surrender proceedings were carried out and the offender was not extradited or surrendered for criminal prosecution or enforcement of a sentence to a foreign State or other authorized subject;
>
> (c) The foreign State or the other authorized subject who had requested extradition or surrender of the offender for criminal prosecution or enforcement of a sentence requested that criminal prosecution be conducted in the Czech Republic.

[7] For previous comments submitted by the Czech Republic, see A/65/181.

[...]

(3) However, such offender shall not be sentenced to a more severe punishment than that stipulated under the law of the State on whose territory the crime was committed.

Greece[8]

23. The principle of universal jurisdiction is one of the traditional jurisdictional principles recognized in Greek criminal law, even though its scope is relatively limited.

24. Article 8 of the Greek Penal Code establishes the principle of universal jurisdiction for the following categories of crimes committed abroad, to the extent that it provides that Greek penal laws are applicable to nationals and foreigners alike, irrespective of the laws of the country where the act was committed:

(a) High treason, treason against the Greek State and terrorist acts;

(b) Crimes concerning military service and the obligation for conscription;

(c) Punishable acts committed by persons in their capacity as civil servants/officials of the Greek State or in their capacity as officials of an organ or organization of the European Union having its seat in Greece;

(d) Acts against or directed at a civil servant/official of the Greek State or a Greek official of an organ or organization of the European Union in the exercise of his/her duties or related to his/her duties;

(e) Perjury in the context of proceedings pending before Greek authorities;

(f) Piracy;

(g) Crimes against the currency;

(h) Slave trade, trafficking in human beings, trafficking, child sex tourism (travel with the purpose of the commission of sexual intercourse or other lascivious acts against minors), rape or abuse or lascivious acts against minors, seduction of children, abuse of or lascivious acts with minors constituting a felony, child pornography, pornographic performance of minors, forced prostitution or sexual abuse of minors for profit or enforced disappearance of a person;

(i) Illegal trafficking in narcotic drugs;

(j) Illegal circulation and trafficking in obscene publications;

(k) Any other crime to which Greek penal laws apply by virtue of specific provisions or international conventions signed and ratified by Greece.

25. National jurisdiction is exercised irrespective of the location of the crime and the nationality of the alleged victim or perpetrator and is concurrent to the eventual jurisdiction of other States. Furthermore, no application by a foreign authority or complaint by the victim is necessary for the prosecution of the act.

26. Law 3658/2008 on "Measures for the protection of cultural property and other provisions" (Official Gazette, vol. A 70/22.4. 2008) stipulates in article 13,

[8] For previous comments submitted by Greece, see A/68/113.

paragraph 4, that the offences provided for in chapter 9 of Law 3028/2002 on the "Protection of antiquities and cultural heritage in general" (Official Gazette, vol. A 153/28.6.2002) are prosecuted and punished according to Greek penal laws, even if committed abroad.

27. It should also be noted that article 2 of Law 3948/2011 (Official Gazette, vol. A 71/5.4.2011) on the "Adjustment of domestic law provisions to the provisions of the Statute of the International Criminal Court ratified by Law 3003/2002 (A 75)" provides that the provisions of this Law are applicable both to nationals and foreigners for all acts enumerated in articles 7 to 15 (i.e. genocide, crimes against humanity, war crimes, violation of the duty of supervision, omission to report a crime), provided that they have been committed:

(a) In the territory of the Greek State or on board Greek vessels or aircraft, wherever they are present, unless they are subject to foreign legislation according to international law;

(b) Abroad, by Greek nationals or foreigners who acquired the Greek nationality after the commission of the act;

(c) Abroad, against the Greek State or Greek nationals.

Jordan

28. Jordan submitted a list of offences relevant to the principle of universal jurisdiction, which can be found in table 1 below.

Oman

29. Oman, convinced of the importance of the principle of universal jurisdiction, has adopted national legislation to regulate judicial cooperation with other States.

30. On 22 January 2000, Oman adopted a law on the extradition of criminals. The law addresses and sets out provisions for the capture of internationally wanted criminals and their extradition to the requesting State, without prejudice to the agreements in force between Oman and other States.

Peru[9]

31. The Peruvian Criminal Code, approved by Legislative Decree No. 635, contemplates the possibility of applying universal jurisdiction, pursuant to its article 2, paragraph 5, which states as follows:

> Article 2. — Principle of extraterritoriality; protective principle; active and passive personality principle
>
> Peruvian criminal law shall apply to any offence committed abroad when:
>
> [...]
>
> 5. Peru is required by international treaties to suppress such offence.

32. Pursuant to article 55 of the country's Political Constitution, treaties in general are part of domestic law. Article 200 of the Constitution also states that, in principle, treaties have the rank of a statute.

[9] For previous comments submitted by Peru, see A/65/181.

> Article 200 — Constitutional guarantees
>
> [...] A constitutional challenge brought in respect of norms that have the rank of a statute — statutes, legislative decrees, emergency decrees, treaties, regulations issued by Congress, regional norms of a general nature and municipal ordinances — that violate the Constitution in form or in substance.

33. Nonetheless, with regard to the hierarchy of human rights treaties, the Peruvian Constitutional Court, which is the autonomous and independent body that reviews constitutional challenges, in its judgement 047-2004-AI/TC, of 24 April 2006, issued by the full Court, stated as follows:

> It should also be noted that while article 55 of the Constitution is a general rule for all treaties, it also establishes a special rule for human rights treaties within the system of sources. The fourth final and transitional provision of the Constitution establishes [...] As can be seen, our system of normative sources recognizes that human rights treaties are used to interpret the rights and freedoms recognized under the Constitution. Such treaties therefore constitute a parameter of constitutionality with regard to rights and freedoms. These treaties are not only incorporated into our domestic law, in accordance with article 55 of the Constitution, but are also incorporated therein by way of integration or interpretive reception, pursuant to the Constitution.

34. In addition, in its judgement 0025-2005-PI, of 25 April 2006, issued by the full Court, the Constitutional Court specified that "international human rights treaties not only conform to our legal order, but also have constitutional rank".

35. In this regard, human rights treaties in Peru have constitutional rank and are part of the domestic legal order; the treaties contemplated in article 2, paragraph 5, of the Criminal Code are included in this set of treaties.

2. Applicable international treaties

36. A list of the treaties referred to, on the basis of information received from Governments, is provided in table 3 below.

37. Kuwait expressed its view that the following international instruments, among others, are consistent with the proposal to apply the principle of universal jurisdiction more universally: (a) 1982 United Nations Convention on the Law of the Sea; (b) United Nations Convention against Corruption; (c) United Nations Convention against Transnational Organized Crime and its three Protocols on the suppression of trafficking in persons, against the smuggling of migrants and against the illicit manufacturing of and trafficking in firearms; (d) international conventions relating to the suppression of all forms of terrorism. Reference was also made to Security Council resolutions.

3. Judicial and other practice

Croatia

38. No Croatian court has ever examined any criminal case initiated in the implementation of universal jurisdiction in its first form (as described in paragraph 16 above) and no domestic practice exists in that regard.

Czech Republic

39. There is no case law with regard to crimes under international law.

Greece

40. Article 8 of the Greek Penal Code has been applied by Greek courts mostly in cases pertaining to the trafficking of narcotic drugs.

Peru

41. To date, Peruvian courts have not heard any case concerning the application of universal jurisdiction, nor have the relevant Peruvian authorities received any extradition requests (passive or active) involving the application of universal jurisdiction.

B. Conditions, restrictions or limitations to the exercise of jurisdiction

Constitutional and domestic legal framework

Azerbaijan

42. Under article 502 of the Code of Criminal Procedure of Azerbaijan adopted on 14 July 2000, the authority to bring a criminal prosecution against a citizen of Azerbaijan suspected of committing an offence in a foreign State resides with the prosecuting authority of Azerbaijan, on the basis of an official request from the competent authority of that foreign State and in accordance with the legislation of Azerbaijan.

43. On the basis of article 75.5 of the Criminal Code, the release from criminal liability on the basis of the statute of limitations does not apply to the persons who committed crimes against peace and humanity, terrorism, financing of terrorism and war crimes. Thus, the persons who committed crimes related to universal jurisdiction are prosecuted and punished regardless of the lapse of time following the commission of the publicly dangerous act (or omission).

44. Article 80.4 of the Criminal Code provides for the punishment of persons who have committed crimes against peace and humanity, terrorism, financing of terrorism and war crimes, regardless of the terms of execution of a court decision.

Croatia

45. The provision of article 16 of the Croatian Criminal Code limits the obligation of the Republic of Croatia as regarding the implementation of universal jurisdiction to a situation when it has the perpetrator "under its authority", which means that the perpetrator cannot be tried in absentia (article 18, paragraph 4, of the Croatian Criminal Code).

46. Additionally, a legal process cannot be started if:

(a) One is being conducted before the International Criminal Court or a court of another State;

(b) A fair trial can be expected before a court of the State where the crime was committed, of the State of which the offender is a national, or another court competent to hear the case;

(c) Criminal proceedings have been conducted in another State, unless they have been conducted contrary to internationally recognized standards of fair trial, in which case criminal proceedings may be instituted only with the approval of the Attorney General.

III. Scope and application of universal jurisdiction: comments by observers

European Union

47. The action of the European Union on the international scene is, inter alia, guided by the principles of the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity and for international law. The European Union promotes multilateral solutions to common problems, in particular in the framework of the United Nations.[10] Furthermore, according to article 21 (2) of the Treaty on European Union, the European Union shall define and pursue common policies and actions and shall work for a high degree of cooperation in all fields of international relations in order to, inter alia, consolidate and support the rule of law, human rights and the principles of international law. It should be noted that the Treaty on the Functioning of the European Union confers upon the European Union certain competences in the area of freedom, security and justice, and in particular with regard to judicial cooperation in criminal matters.[11]

48. The European Union acts on a long-term basis as a strong supporter of the principle that the most serious crimes of concern to the international community as a whole must not go unpunished. It is to be stressed that achieving criminal justice is not only an important value in itself, but it also brings relief to victims, which decreases the desire for revenge. As such, contributing to fighting against impunity has real potential to prevent possible future conflicts.

49. The European Union notes the opinion that the crimes currently covered by the jurisdiction of the Rome Statute of the International Criminal Court, namely, the crime of genocide, crimes against humanity and certain war crimes, are also subject to the principle of universal jurisdiction under customary international law. However, the views and practices of individual States concerning the scope and application of the principle of universal jurisdiction vary widely. This contribution should therefore not necessarily be seen as reflecting the views of all Member States.

50. In the context of the fight against impunity, the universality principle can serve as an additional tool in the exercise of jurisdiction by States.[12] The operation of the

[10] Art. 21 (1) of the Treaty on European Union.

[11] Arts. 82-86 of the Treaty on the Functioning of the European Union.

[12] The EU Genocide Network, in its 2014 strategy to combat impunity, mentions the following: "Member States should ensure that their respective legislation provides for the definition of core international crimes in accordance with international standards and for an exercise of extraterritorial, including universal, jurisdiction over those crimes" (p. 41).

International Criminal Court and of national courts, including when they act on the basis of the principle of universal jurisdiction when applicable, are complementary tools in the fight against impunity.

51. Generally, the exercise of jurisdiction requires a certain nexus between the offence and the State exercising jurisdiction. In State practice, the grounds for exercise of jurisdiction are territoriality and passive or active nationality. Both legal doctrine and State practice also seem to recognize the protective principle as a basis for jurisdiction. This principle would allow the exercise of jurisdiction over certain offences committed against the State as such or against fundamental State functions, including counterfeiting of currency, regardless of where the offence concerned has taken place.

52. In the framework of the fight against impunity and the perpetration of the most heinous crimes, the principle of universal jurisdiction under which it is possible to prosecute perpetrators of international crimes, having its basis in both treaty and customary law,[13] is particularly relevant. Furthermore, international crimes such as genocide, crimes against humanity and torture are generally considered as violations of peremptory norms of international law.[14]

53. The European Union also stresses the importance of the principle of *aut dedere aut judicare* (the obligation to extradite or prosecute a person accused of committing international crimes) under treaty law. This principle has recently been confirmed, with reference to a treaty law basis, by a 2012 judgment of the International Court of Justice in the case of *Belgium v. Senegal*.[15]

54. Concerning universal jurisdiction under treaty and customary law, the European Union emphasizes that the primary responsibility to investigate a crime and prosecute its perpetrators lies with the State having a link to the crime perpetrated.[16] However, universal criminal jurisdiction enables a State to prosecute universally condemned international crimes even when committed by aliens against aliens in the territory of another State or in areas beyond territorial jurisdiction.

55. Traditionally, universal criminal jurisdiction applies to the crime of piracy. Universal jurisdiction over this category helps to ensure that perpetrators of such crimes do not escape punishment. Recently, international practice has witnessed actions by States regarding acts so heinous that every State has a legitimate interest in their suppression and punishment. At this time, however, it would seem that for some States, such conduct includes only the crime of torture.

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[13] See, for example, judgement of the European Court of Human Rights in the case of *Jorgić v. Germany* (2007). Currently, some argue that the judgement concerns only the crime of piracy.

[14] The crimes stated are enumerated in the 2014 Report of the International Law Commission on the obligation to extradite or prosecute (*aut dedere aut judicare*), *Official Records of the General Assembly, Sixty-ninth session, Supplement No. 10* (A/69/10), chap. VI.

[15] *Questions relating to the Obligation to Prosecute or Extradite (Belgium v. Senegal)*, Judgment of 20 July 2012.

[16] Current European Union legislation in relation to criminal law always provides for a link with the Member State. This can notably be illustrated by the recently adopted Directive 2014/62/EU of the European Parliament and of the Council of 15 May 2014 on the protection of the euro and other currencies against counterfeiting by criminal law, contrary to Council Framework Decision 2000/383/JHA, which provided for universal jurisdiction without any such link and which the Directive replaces. The Directive, in its article 8 (2), does now provide for such a link.

56. Establishing universal jurisdiction over further categories of conduct might help to enforce the most fundamental norms of international law and ensure that such crimes do not go unpunished. However, the lack of consensus on the definition and scope of application of the principle of universal jurisdiction in this category can be observed at the international level. This topic could benefit from further analysis at the expert level.

57. In order to ensure that grave crimes will not go unpunished and led by the understanding that the successful outcome of effective investigation and prosecution of such crimes at the national level depends to a high degree on close cooperation between the relevant national authorities, the European Union has set up a European network of contact points with respect to persons responsible for genocide, crimes against humanity and war crimes.[17]

58. The full text of Council Decision 2002/494/JHA can be found in the Official Journal of the European Union, but an extract from some of its provisions is included below for informational purposes:

> Article 1
> Designation and notification of contact points
>
> 1. Each Member State shall designate a contact point for the exchange of information concerning the investigation of genocide, crimes against humanity and war crimes such as those defined in articles 6, 7 and 8 of the Rome Statute of the International Criminal Court of 17 July 1998.
>
> 2. Each Member State shall notify the General Secretariat of the Council in writing of its contact point within the meaning of this Decision. The General Secretariat shall ensure that this notification is passed on to the Member States, and inform the Member States of any changes in these notifications.
>
> Article 2
> Collection and exchange of information
>
> 1. Each contact point's task shall be to provide on request, in accordance with the relevant arrangements between Member States and applicable national law, any available information that may be relevant in the context of investigations into genocide, crimes against humanity and war crimes as referred to in article 1 (1), or to facilitate cooperation with the competent national authorities.
>
> 2. Within the limits of the applicable national law, contact points may exchange information without a request to that effect.

59. In addition, it can be noted that, in accordance with Council Decision 2003/335/JHA of 8 May 2003 on the investigation and prosecution of genocide, crimes against humanity and war crimes,[18] Member States shall take the necessary measures to inform law enforcement authorities of the presence of alleged perpetrators and to ensure the exchange of information between national law enforcement and immigration authorities in order to increase cooperation between

[17] Council Decision of 13 June 2002 setting up a European network of contact points in respect of persons responsible for genocide, crimes against humanity and war crimes (2002/494/JHA, Official Journal L 167, 26.06.2002, p. 1).

[18] Official Journal L 118, 14.5.2003, p. 12.

national authorities of the European Union Member States, and thus to maximize the ability of law enforcement authorities in different Member States to cooperate effectively in the field of investigation and prosecution of alleged perpetrators of serious international crimes.

International Maritime Organization

60. The International Maritime Organization reiterated its previous comments regarding the basis for universal jurisdiction, as set out in A/66/93, paragraph 116, and A/69/174, paragraph 52.

61. As at 29 April 2015, 165 States were parties to the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation; 33 States were parties to the 2005 Protocol to the Convention, which entered into force on 28 July 2010; 152 States were parties to the 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf; and 29 States were parties to the 2005 Protocol to the 1988 Protocol, which entered into force on 28 July 2010.

Organization for the Prohibition of Chemical Weapons

62. The Organization for the Prohibition of Chemical Weapons reiterated its previous comments regarding the basis for universal jurisdiction, as set out in A/66/93, paragraphs 117 to 120, A/67/116, paragraphs 29 to 32, and A/69/174, paragraphs 54 to 61, underlining that the number of States parties that had adopted implementing legislation to criminalize activities prohibited under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction had increased from 136 to 140, and that the number of States parties that had included an extraterritorial provision in their legislation had increased from 121 to 124.

International Committee of the Red Cross

63. The International Committee of the Red Cross (ICRC) reiterated its comments regarding the basis for universal jurisdiction, as set out in A/66/93, paragraphs 121 to 140, A/68/113, paragraph 37, and A/69/174, paragraph 62.

64. With regard to State practice, ICRC recalled that, through the ratification of relevant international instruments, States have recognized that the exercise of universal jurisdiction is an important means to end impunity for the commission of war crimes, crimes against humanity, genocide and torture. It underlined that by becoming party to the 1949 Geneva Conventions, for example, 196 States have agreed to either prosecute or extradite all individuals alleged to have committed, or to have ordered to be committed, grave breaches as defined in these Conventions regardless of their nationality. This obligation also applies to the grave breaches as defined in Additional Protocol I of 1977, which has been ratified by 174 States.

65. Moreover, ICRC identified more than 100 States[19] that had established some form of universal jurisdiction over war crimes in their national legal order. In 2014,

[19] "Preventing and Repressing International Crimes: Towards an 'Integrated' Approach Based on Domestic Practice: Report of the third universal meeting of national committees for the implementation of international humanitarian law", vol. I (Geneva, ICRC Advisory Service on International Humanitarian Law, 2013).

while some States have limited the exercise of universal jurisdiction in their territory, others have adopted legislation criminalizing such crimes, as well as provided for universal jurisdiction over crimes perpetrated beyond their borders (for example, in Austria, Burkina Faso, Colombia, Ecuador and Sweden).

66. In addition, and according to the information available to ICRC, there were noteworthy investigations on the basis of universal jurisdiction and uses of and references to universal jurisdiction in various domestic judicial decisions in 2014 (for example, in cases in Canada, Germany, France, South Africa and Spain).[19]

67. ICRC also stressed that promoting the prevention of serious violations of international humanitarian law, as well as the implementation of adequate sanctions mechanisms for such violations, when they occur, has long been an important element of the Committee's efforts aimed at enhancing respect for international humanitarian law. In this regard, ICRC continues, through its Advisory Service on International Humanitarian Law, to offer legal advice and technical assistance to government experts, at their request, on national implementation of international humanitarian law, including the incorporation of war crimes and other international crimes into criminal law and procedure and to promote the application of universal jurisdiction. ICRC also facilitates the exchange of information between States and other actors on international humanitarian law implementation measures, coordinates meetings of experts and conferences, conducts professional training courses and develops specialized tools (such as databases, reports, technical documents) that are made available to States and the general public.

68. In addition, ICRC undertakes various initiatives aimed at supporting States' efforts to implement an efficient system for the repression of serious violations of international humanitarian law, including by asserting universal jurisdiction. This is in keeping with resolution 1 of the thirty-first International Red Cross and Red Crescent Conference (2011), which refers to the four-year action plan for the implementation of international humanitarian law and, in particular, the objective to improve the incorporation and repression of serious violations of international humanitarian law.[20] For example, ICRC continues to engage in consultations with experts regarding the effectiveness of individual criminal sanctions, with emphasis on universal jurisdiction. It also continues to promote its *Manual on the Domestic Implementation of International Humanitarian Law*,[21] which offers a practical tool aimed at assisting policymakers, legislators and other stakeholders in implementing international humanitarian law, including the repression of serious violations of international humanitarian law and the application of universal jurisdiction.

69. In its various national, regional and multilateral engagements on international humanitarian law throughout the world, ICRC continues to address issues relating to the prevention and repression of serious international humanitarian law violations and promotes the application of universal jurisdiction over war crimes.

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[20] Thirty-first International Conference of the Red Cross and Red Crescent, Geneva, 28 November-1 December 2011, resolution 2, four-year action plan for the implementation of international humanitarian law, objective 4.

[21] International Committee of the Red Cross Advisory Service on International Humanitarian Law, *The Domestic Implementation of International Humanitarian Law: A Manual* (Geneva, International Committee of the Red Cross, 2011) (updated in June 2013).

70. ICRC is also in the process of preparing an update to the its Commentaries on the Geneva Conventions of 1949. It intends to launch an updated Commentary on the First Geneva Convention before the end of 2015, which will include valuable legal perspectives on universal jurisdiction within the framework of articles 49 and 50 of the Convention.

71. The principle of universal jurisdiction is also considered by ICRC as an important means to strengthen the prevention and repression of sexual violence in armed conflict, as well as attacks on the wounded and sick, health-care personnel and facilities and medical transport in situations of armed conflict. ICRC is of the view that universal jurisdiction is an effective tool, among others, for States to prevent and respond to such crimes.

72. Under international law, States are the primary entities with responsibility for investigating and prosecuting alleged perpetrators of serious violations of international humanitarian law. When States do not take legal action against individuals suspected of committing such crimes based on their more traditional bases of jurisdiction (territoriality principle, active or passive personality principle and the protective principle), the implementation of universal jurisdiction can serve as an effective mechanism to ensure accountability and limit impunity.

73. While ICRC recognizes the challenges relating to the efficient exercise of the principle of universal jurisdiction — for judicial, procedural and practical reasons — it reiterates its support to States establishing appropriate national legislation to respond to international humanitarian law violations on the basis of all principles of jurisdiction, including universal jurisdiction.

IV. Nature of the issue for discussion: specific comments by States

Belarus[22]

74. Belarus has consistently advocated the need to address impunity and to ensure the certainty of punishment for committed crimes. In its view, universal jurisdiction, in the true sense of the term, can be based only on the norms of international law, both in treaties (by means of criminalization in universal multilateral treaties) and customary law.

75. The criterion for universal jurisdiction should be whether the crime in question is damaging to the interests of every single member of the international community. In that regard, Belarus proposes considering the following crimes as meeting the above criterion: crimes against peace, war crimes, crimes against humanity, piracy, trafficking in persons and cross-border organized trafficking in narcotics and drugs.

76. Belarus supports the desire to reach a collective understanding on the list of crimes to which the principle of universal jurisdiction would apply, as well as on the conditions of its implementation. Moreover, such a collective understanding on the scope and application of universal jurisdiction to such crimes should be based on consensus among States. Reaching such an understanding will make it possible to avoid creating ill-founded conditions for an expansion of the extraterritoriality of

[22] For previous comments submitted by Belarus, see A/65/181.

States and abusive application of the principle of universal jurisdiction in order to interfere in the internal affairs of other States and destabilize their sociopolitical affairs.

Croatia

77. Croatian criminal law, in its normative regulation of the principle of universal jurisdiction, ensures the application of criminal jurisdiction of the Republic of Croatia to the most serious violations of international law, regardless of the location of the crime and the nationality of the perpetrator or the victim, while setting some limitations aimed at ensuring the implementation of this principle in good faith and in accordance with international law. Accordingly, Croatia strongly believes that universal jurisdiction and its implementation should be based on well-established principles and norms, including those related to international cooperation in criminal matters. At the same time, universal jurisdiction should be exercised responsibly and as an exceptional last-resort measure in order to prevent its unwarranted or politically motivated use. Furthermore, universal jurisdiction must be clearly distinguished from the jurisdiction of international tribunals (international criminal jurisdiction) while the issue of competing jurisdictions should be further thoroughly discussed. Finally, Croatia is of the view that discussion on the comparison between the principle of complementarity (the basis for intervention by the International Criminal Court) and subsidiarity would further contribute to clarification of this important subject.

78. Croatia also believes that universal jurisdiction is to be implemented according to a number of principles and preconditions, such as its universality, respect for international due process norms, respect for the principle *non bis in idem*, non-application of a statute of limitations, respect for the principle of subsidiarity (generally meaning primacy of the State whose citizens have committed crimes, against whose citizens crimes have been committed, or on whose territory crimes have been committed, to prosecute the aforementioned crimes), prevention of the abuse or unwarranted use of universal jurisdiction in a unilateral, selective and politically motivated manner resulting in serious negative consequences for the rule of law at the international level, as well as for international relations, and the reasonable, responsible, judicious and predictable implementation of universal jurisdiction in accordance with the relevant rules and guiding principles of various branches of international law and comity.

Cuba

79. Cuba reiterated its specific comments pertaining to the principle of universal jurisdiction, as set out in A/69/174, paragraphs 79 to 87.

Kuwait[23]

80. Kuwait noted that it has become incumbent upon all member States of the international community to extend their national judicial authority to include the investigation of international crimes, without taking into consideration their international nature, and to hold perpetrators to account before their national courts.

[23] For previous comments submitted by Kuwait, see A/65/181 and A/67/116.

81. The question of the adoption of the principle of universal jurisdiction and its application outside the relevant institutions remains unclear and lacks the pertinent parameters, bases and mechanisms necessary in order to determine its scope and application. It is therefore difficult to make generalizations about actual application while it is not regulated by international instruments that prescribe the measures and mechanisms that States are legally permitted to use. Application of the principle without specific detail as to scope and measures will lead to numerous international legal problems.

82. The international community should take into account a number of considerations that are indispensable, including the need to conduct an exhaustive investigation into mechanisms for applying the principle in the light of international realities. The possible sources, scope and nature of universal jurisdiction should be studied and understood, as should the circumstances under which it will be applied and the extent to which application is possible in the absence of those mechanisms. Consideration must also be given to previous relevant laws and the possible impact of international application.

83. Kuwait further noted that there are no obvious disadvantages to the adoption of the principle of universal jurisdiction per se. The major problem lies in determining the scope, manner and procedures for application that will be universally acceptable. There continue to be numerous apprehensions as to what eventual application could entail, particularly if universal jurisdiction were used selectively or arbitrarily, without due consideration being given to the requirements for and standards of universality and the need for international coordination, pursuant to the principle of international justice and equality.

84. The crimes to which the principle of universal jurisdiction could be applied, which include genocide, crimes against humanity and war crimes, are essentially acts that are covered by the classification of crimes contained in the Rome Statute of the International Criminal Court. Accordingly, there is a clear causal link and connection between the concept of universal jurisdiction and that Statute, which makes it essential to point out that it is incumbent upon States parties to the Statute to strengthen their cooperation in activating and applying the principle of universal jurisdiction.

85. It is the opinion of Kuwait that, in principle, there is nothing to prevent the inclusion of the principle of universal jurisdiction in the framework of the Rome Statute or in any of the international instruments referred to in paragraph 30 above or any other similar instrument, provided that the validity of the principle and application of relevant measures is restricted to States parties to or members of such instruments. No judicial obligations should be imposed on other States that have not yet ratified all those international instruments.

86. It is also essential that a differentiation be made between bilateral and regional jurisdiction, which is determined when any two States or a regional group of States conclude agreements on the provision of mutual legal and judicial assistance or bilateral penal cooperation, thereby agreeing to apply particular parameters to bilateral or regional jurisdiction.

87. It is also fitting that the international community, through the United Nations, should firmly establish universal jurisdiction and disseminate it through an international convention or instrument in that regard, with a view towards

systematizing the rules, measures, procedures and means of implementation at the international level. It would then be possible to urge and encourage States to achieve comprehensive global ratification, thereby assuring the universality of such jurisdiction. Such a proposal may be the most apposite and realistic for the purpose of providing the international legal and judicial guarantees necessary to prevent abuse of the principle or alienation from its goals, and in order to ensure the firm establishment of justice and equality and removal of any selectivity that could take place in the implementation of existing international instruments.

88. It should be noted that if universal jurisdiction passed into law, States would have to amend their national legislation in order to allow for the jurisdictional requirements necessary in the light of the principle's universal character.

Oman

89. Oman stressed the importance of upholding the principle of universal jurisdiction in all States, viewing it as vital in the apprehension and prosecution of suspects. It also expressed its belief that the establishment of a team to review the scope of the application of jurisdiction would effectively help to combat international crime.

Peru

90. Given that the application of universal jurisdiction by States still depends on the types of national criminal procedures involved, Peru reiterated its view of the importance of deciding whether the goal is to have each State follow its own criminal procedures or to establish a single procedure for the mandatory application of universal jurisdiction by all States.

91. Peru further noted that since the list of crimes that can trigger the application of universal jurisdiction is, in practice, not a closed one (that is, it could depend on the will of States as expressed in a treaty), the debate on the international crimes to which universal jurisdiction will apply should continue. Likewise, even if the crimes to which universal jurisdiction will apply are determined, efforts should continue to be made to come up with consensual definitions of those crimes.

92. Peru also believes that, given the possibility that various States might be requesting the application of universal jurisdiction all at once, it would be useful to establish the criteria for addressing that challenge.

Table 1
List of crimes mentioned in the comments by Governments concerning which universal jurisdiction (including other bases of jurisdiction) is established by their codes

Crime	*State*
Human trafficking	Azerbaijan, Croatia, Greece
Extortive abduction, slave trade	Croatia, Greece
Sexual crimes against children	Greece, Jordan
Illegal circulation and trafficking in obscene publications	Greece
Enforced disappearance of a person	Greece
Crimes concerning military service and the obligation for conscription	Greece
Punishable acts committed by persons in their capacity as civil servants/officials of the Greek State or in their capacity as officials of an organ or organization of the European Union having its seat in Greece	Greece
Acts against or directed at a civil servant/official of the Greek State or a Greek official of an organ or organization of the European Union in the exercise of his/her duties or related to his/her duties	Greece
Perjury in the context of proceedings pending before Greek authorities	Greece
Organized crime	Jordan
Piracy	Azerbaijan, Greece, Jordan
Terrorism-related acts	Azerbaijan, Czech Republic, Greece, Jordan
Murder and grievous bodily harm	Jordan
Illicit detention or hostage-taking	Azerbaijan, Jordan (as amended by Law No. 41)
Crimes concerning radioactive materials	Azerbaijan
Attacks against civil aviation and maritime traffic	Azerbaijan
Attacks on persons or establishments using international protection	Azerbaijan

Crime	*State*
Illicit trafficking in narcotics and dangerous drugs	Azerbaijan, Greece
Illicit trafficking in stolen and other commodities	Jordan
Fiscal offences	Czech Republic, Greece, Jordan
Robbery and theft	Jordan
Forgery	Azerbaijan, Czech Republic, Jordan
Corruption and bribery	Jordan (as amended by Laws Nos. 11 and 62)
Fraud	Jordan
Environmental offences	Jordan (as amended by Law No. 52)
Genocide	Austria, Croatia, Czech Republic, Greece
Treason	Czech Republic, Greece
Crimes against humanity	Austria, Azerbaijan, Croatia, Cuba, Czech Republic, Greece
War crimes	Austria, Azerbaijan, Croatia, Czech Republic, Greece
Preparation of aggressive war	Czech Republic
Misuse of internationally acknowledged symbols and signs and state coats of arms	Czech Republic
Misuse of a flag and ceasefire	Czech Republic
Rape, sexual coercion	Greece, Jordan
Torture (and other cruel, inhuman or degrading treatment or punishment)	Azerbaijan, Croatia, Czech Republic
Crimes against international law (i.e. criminal jurisdiction based on the nature of the crime, irrespective of its location and of the nationality of the alleged perpetrator or victim)	Azerbaijan, Croatia, Cuba, Greece

Table 2
Specific legislation relevant to the subject, based on information submitted by Governments

Category	*Legislation*	*Country*
Human trafficking and migrant smuggling	Law No. 9 (2009) on human trafficking, article 3, paragraphs (a), (b) and (c); articles 8-11	Jordan
Illicit trafficking in drugs and psychotropic substances	Law No. 11 (1988) on drugs and psychotropic substances, as amended, articles 3, 4, 6-10, 12	Jordan
Illicit trafficking in arms	Law No. 34 (1952) on firearms and ammunition, as amended	Jordan
Terrorism	Law No. 46 on combating money-laundering and the financing of terrorism	Jordan
Forgery and piracy of intellectual property	Law No. 22 (1992) on the protection of authors' rights, as amended; Law No. 33 (1952) on trademarks, as amended; Law No. 32 (1999) on copyrights	Jordan
Smuggling	Law No. 20 (1998) on customs, as amended; Law No. 21 (1998) on antiques, as amended	Jordan
Tax offences	Law No. 34 (2014) on income tax; Law No. 6 (1994) on general sales tax, as amended	Jordan
Protection of cultural property and other provisions	Law 3658/2002 (Official Gazette, vol. A 70/22.4.2008)	Greece
Adjustment of domestic law provisions to the provisions of the Statute of the International Criminal Court ratified by Law 3003/2002	Law 3948/2011, article 2 (Official Gazette, vol. A 71/5.4.2011)	Greece

Table 3
Relevant treaties that were referred to by Governments, including treaties containing *aut dedere aut judicare* provisions

A. Universal instruments

Genocide	Convention on the Prevention and Punishment of the Crime of Genocide, 1948	Croatia
International criminal law	Rome Statute of the International Criminal Court, 1998	Austria, Croatia
Counterfeiting	International Convention for the Suppression of Counterfeiting Currency, 1929	Czech Republic
Narcotics	Single Convention on Narcotic Drugs, 1961	Czech Republic
	United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988	Czech Republic
Corruption	United Nations Convention against Corruption, 2003	Czech Republic, Oman
	Criminal Law Convention on Corruption, 1999	Czech Republic
Organized crime	Convention on Cybercrime, 2001	Czech Republic
	United Nations Convention against Transnational Organized Crime, 2000	Czech Republic, Jordan
Piracy	United Nations Convention on the Law of the Sea, 1982	Czech Republic
International humanitarian law	Geneva Conventions of 1949 and the Additional Protocols thereto	Croatia, Peru
	Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954 and its Protocols of 1954 and 1999	Croatia
Enforced disappearance	International Convention for the Protection of All Persons from Enforced Disappearance	Peru
Torture	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984	Croatia, Peru

Terrorism	Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, 1973	Croatia, Czech Republic
	Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, 1988	Croatia, Czech Republic
	Protocol of 2005 to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation	Greece
	2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf	Croatia, Greece
	Convention on the Marking of Plastic Explosives for the Purpose of Detection, 1991	Croatia
	Convention on Offences and Certain Other Acts Committed on Board Aircraft, 1963	Croatia
	Convention for the Suppression of Unlawful Seizure of Aircraft, 1970	Croatia, Czech Republic
	Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1971	Croatia, Czech Republic
	Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1988	Croatia
	International Convention for the Suppression of Terrorist Bombings, 1997	Croatia, Czech Republic
	International Convention for the Suppression of the Financing of Terrorism, 1999	Croatia, Czech Republic
	International Convention for the Suppression of Acts of Nuclear	Croatia, Czech Republic

	Terrorism, 2005	
	Convention on the Physical Protection of Nuclear Material, 1980	Croatia, Czech Republic
	Convention for the Suppression of Unlawful Acts Relating to International Civil Aviation, 2010	Czech Republic
	International Convention against the Taking of Hostages, 1979	Croatia, Czech Republic

B. Regional instruments

Corruption	Organization for Economic Cooperation and Development (OECD) Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, 1997	Czech Republic
Organized crime	Arab Convention against Transnational Organized Crime, 2010	Jordan, Oman
Judicial cooperation	Riyadh Convention on Judicial Cooperation	Oman
	Agreement with the States of the Arab Gulf on the Extradition of Individuals Sentenced to Prison Terms	Oman
Enforced disappearance	Inter-American Convention on Forced Disappearance of Persons	Peru
Terrorism	Arab Convention on Combating Money-Laundering and the Financing of Terrorism, 2010	Jordan
	European Convention on the Suppression of Terrorism, 1977	Czech Republic
	Arab Convention on Combating Information Technology Offences, 2010	Jordan, Oman

C. Bilateral instruments

Extradition	Bilateral agreement with India	Oman
Mutual assistance	Bilateral agreement with India	Oman
Terrorism and organized crime	Bilateral agreements with Turkey to combat international terrorism, organized crime and illicit trafficking in drugs and psychotropic substances and with Yemen to combat and prevent criminal acts, particularly those related to terrorism	Oman